

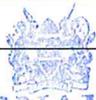


*Approved  
SNA  
24/2/26*

**THE NATIONAL ASSEMBLY**  
**THIRTEENTH PARLIAMENT- FIFTH SESSION - 2026**  
**DIRECTORATE OF DEPARTMENTAL COMMITTEES**

**DEPARTMENTAL COMMITTEE ON LABOUR**

**REPORT ON THE APPROVAL HEARING OF MR. FRANCIS MEJA, NOMINEE  
FOR APPOINTMENT AS CHAIRPERSON OF THE PUBLIC SERVICE  
COMMISSION**

 <b>THE NATIONAL ASSEMBLY PAPERS LAID</b>	
<b>DATE:</b> 24 FEB 2026	<b>DAY:</b> TUESDAY
<b>TABLED BY:</b>	Hon. KITI CHOPRA, MP (CHAIRPERSON)
<b>CLERK AT THE TABLE:</b>	INZOPU MWALE

**CLERK'S CHAMBERS  
DIRECTORATE OF DEPARTMENTAL COMMITTEES  
PARLIAMENT BUILDINGS  
NAIROBI**

**FEBRUARY, 2026**



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## LIST OF ABBREVIATIONS AND ACRONYMS

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CBS	-	Chief of the Order of the Burning Spear
CUE	-	Council for University Education
DAP-K	-	Democratic Action Party Kenya
DCI	-	Directorate of Criminal Investigations
EACC	-	Ethics and Anti-Corruption Commission
FORD	-	Forum for the Restoration of Democracy
H.E.	-	His Excellency
HELB	-	Higher Education Loans Board
KANU	-	Kenya African National Union
KRA	-	Kenya Revenue Authority
MBS	-	Moran of the Order of the Burning Spear
MP	-	Member of Parliament
NTSA	-	National Transport and Security Authority
ODM	-	Orange Democratic Movement
ODPP	-	Office of the Director of Public Prosecutions
ORPP	-	Office of the Registrar of Political Parties
PSC	-	Public Service Commission
UDA	-	United Democratic Alliance
UON	-	The University of Nairobi
TIMS	-	Transport Integrated Management System

## LIST OF ANNEXURES

- Annexure 1: Adoption Schedule
- Annexure 2: Minutes of Committee Sitzings
- Annexure 3: Transmittal Letter by the Head of Public Service
- Annexure 4: Report of the Selection Panel
- Annexure 5: Message No. 001 of 2026 from the Speaker
- Annexure 6: Advertisement notifying the public of the approval hearing and submission of memoranda
- Annexure 7: Letter from the Clerk of the National Assembly inviting the nominee for the approval hearing
- Annexure 8: Letters from the Clerk of the National Assembly to DCI, EACC, HELB, KRA, ODPP and ORPP
- Annexure 9: Letters of clearance from DCI, EACC, HELB, KRA, ODPP and ORPP
- Annexure 10: *Curriculum Vitae*, certificates and testimonials of the nominee
- Annexure 11: Memoranda contesting the nomination for appointment
- Annexure 12: *Omondi & another v Attorney General & 2 others; Ethekeon & 7 others (Interested Parties) (Constitutional Petition E269 of 2025) [2025] KEHC 9956 (KLR) (Constitutional and Human Rights) (10 July 2025)*
- Annexure 13: Message dated 4<sup>th</sup> December 2014 from the Speaker
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## CHAIRPERSON'S FOREWORD

This report contains the proceedings of the Departmental Committee on Labour during the approval hearings of the person nominated for appointment as Chairperson of the Public Service Commission as forwarded by the Selection Panel and communicated to the House by the Speaker of the National Assembly on Tuesday, 10<sup>th</sup> February 2026.

Pursuant to section 7(3) of the PSC Act, Cap. 185, H.E. the President convened a selection panel for the recruitment of a suitable candidate for appointment as Chairperson of the PSC. Guided by section 11(4) and (5) of the PSC Act, Cap. 185, the selection panel invited applications from the public, conducted interviews and shortlisted three (3) persons qualified for appointment as Chairperson of the PSC. Consequently, the selection panel forwarded the names of the selected candidates to the President for nomination.

In exercise of powers conferred by Article 250(2)(c) of the Constitution and section 11(6) of the PSC Act, Cap. 185 as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F, H.E. the President nominated **Mr. Francis Meja** for appointment as Chairperson of the PSC.

On **Tuesday, 10<sup>th</sup> February 2026**, the Rt Honourable Speaker of the National Assembly vide Message No. 001 of 2026 (*Annexure 5*) conveyed the Message from H.E. the President to the House and referred the name and the *curriculum vitae* of the nominee to the Committee for approval hearing and in accordance with section 4 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F and Standing Orders 42(3)(c) and 45(1) of the National Assembly Standing Orders. While referring the matter to the Committee, the Speaker directed that the Committee undertakes the approval hearing and reports to the House within fourteen (14) days in accordance with section 11(7) of the PSC Act, Cap 185. The Rt. Hon Speaker further directed the Clerk of the National Assembly to notify the nominee and the general public of the time and place of holding the approval hearing.

In fulfilment of the provisions of Article 118(1)(b) of the Constitution, Section 6(2),(3) and (4) of the Public Appointments (Parliamentary Approval) Act, Cap.7F and National Assembly Standing Order 45(3), the Clerk of the National Assembly on **Thursday, 12<sup>th</sup> February 2026** placed an advertisement in the print media notifying the public on the date, time and place of the Approval Hearing. (*Annexure 6*)

In compliance with Section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F, the Clerk of the National Assembly invited the public to submit memoranda by way of written statements on oath (*affidavits*) with supporting evidence contesting the suitability of the nominee. The Memoranda were to be received by **Thursday, 19<sup>th</sup> February 2026** at **5.00 pm**. By the close of the deadline, the Committee had received three (3) memoranda in contestation of the suitability of the nominee.

Further, on **Friday, 13<sup>th</sup> February 2026**, the Clerk of the National Assembly wrote to the nominee notifying him of the date, time and place of the Approval Hearing, which was scheduled to be conducted on **Friday, 20<sup>th</sup> February 2026**, in **Committee Room 18, 3<sup>rd</sup> Floor, Bunge Tower, Parliament Buildings** at **10:00 am**.



The Clerk of the National Assembly on **Thursday 12<sup>th</sup> February 2026** wrote to the Directorate of Criminal Investigations (DCI), Ethics and Anti-Corruption Commission (EACC), Higher Education Loans Board (HELB), Kenya Revenue Authority (KRA), Office of the Director or Public Prosecutions (ODPP) and Office of the Registrar of Political Parties (ORPP) seeking references and background checks relating to the suitability of the nominee.

The nominee appeared before the Committee on **Friday, 20<sup>th</sup> February 2026** and was orally interviewed under Oath pursuant to Article 250(12) of the Constitution, the Public Appointments (Parliamentary Approval) Act, (Cap.7F), the Public Service Commission Act, Cap. 185 and the National Assembly Standing Orders.

The Committee examined his suitability based on the criteria set out in section 7 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F including the procedure used to arrive at the nominee, the constitutional and statutory requirements relating to the office in question and suitability of the nominee for the appointment proposed, having regard to whether the nominee's abilities, experience and qualities meet the needs of the office in question. Furthermore, the Committee examined the nominee's academic credentials, relevant professional training and experience, knowledge of sector issues and personal integrity in accordance with section 6(7) and (8) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F.

The Committee observed that the nominee demonstrated knowledge of topical, administrative and technical issues, the affairs of the Commission and the roles of Chairperson of PSC. The nominee possesses requisite abilities, academic qualifications and professional experience to be approved for appointment as the Chairperson of the PSC.

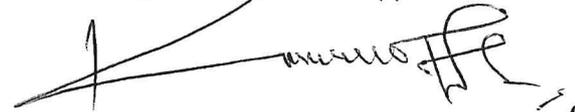
The Committee therefore recommends that this House **approves Mr. Francis Meja** for appointment as **Chairperson of the PSC**.

The Committee wishes to thank the Offices of the Speaker and of the Clerk of the National Assembly for the technical support accorded to it during the exercise. The Committee further extends its appreciation to the nominee for his cooperation during the parliamentary approval process. Finally, I acknowledge and appreciate the Honourable Members of the Committee who sat for long hours, for their input and valuable contributions towards the preparation and writing of this Report.

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On behalf of the Departmental Committee on Labour and pursuant to Article 250(2) of the Constitution, Section 8(1) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F and provisions of Standing Orders 45 and 199(6), it is now my duty and privilege to present to the House, the Report of the Departmental Committee on Labour on the Approval Hearing of Mr. Francis Meja, Nominee for Appointment as Chairperson of the Public Service Commission.



**Hon. Kiti Richard Ken Chonga, MP**  
**Chairperson**

### 1.0 PREFACE

#### 1.1 Establishment and Mandate of the Committee

2. The Departmental Committee on Labour is established under Standing Order 216 and is mandated to, among others, “to vet and report on all appointments where the Constitution or any other law requires the National Assembly to approve, except those under Standing Order 204.”

#### 1.2 Subject Matter

3. The subject matter of the Departmental Committee on Labour is stated in the Second Schedule of the National Assembly Standing Orders and includes, among others, “labour, human capital and remuneration, trade union relations and public service”.
4. In executing this mandate, the Committee oversees the following Ministries, Departments, and Agencies (MDAs):
  - i) The State Department for Public Service and Human Capital Development (Under Ministry of Public Service, Human Capital Development and Special Programmes) and its Autonomous and Semi-Autonomous Government Agencies which include;
    - a) Kenya School of Government; and
    - b) Institute of Human Resource Management
  - ii) The State Department for Labour and Skills Development (Under the Ministry of Labour and Social Protection) and its Autonomous and Semi-Autonomous Government Agencies, which include;
    - a) National Industrial Training Authority (NITA);
    - b) National Productivity and Competitiveness Centre (NPCC);
    - c) Kenya National Labour Board and the Wages Council;
    - d) National Employment Authority (NEA);
  - iii) Public Service Commission; and
  - iv) Salaries and Remuneration Commission.

### 1.3 Committee Membership

5. The Departmental Committee on Labour comprises the following Members:

#### **Chairperson**

Hon. Kiti Richard Ken Chonga, MP  
Kilifi South Constituency  
**ODM Party**

#### **Vice-Chairperson**

Hon. Fabian Kyule Muli, MP  
Kangundo Constituency  
**GDDP**

#### Members

Hon. Omboko Milemba, CBS, MP  
Emuhaya Constituency  
**ANC Party**

Hon. Joseph Samal Lomwa, MP  
Isiolo North Constituency  
**Jubilee Party**

Hon. George Aladwa Omwera, MP  
Makadara Constituency  
**ODM Party**

Hon. Njoroge, Mary Wamaua MP  
Maragua Constituency  
**UDA Party**

Hon. Dorice Aburi Donya, MP  
Kisii County  
**WDM-K**

Hon. Wachira, Rahab Mukami, MP  
Nyeri County  
**UDA Party**

Hon. Lilian Chebet Siyoi, MP  
Trans Nzoia County  
**UDA Party**

Hon. James Onyango K'Oyoo, MP  
Muhoroni Constituency  
**ODM Party**

Hon. Ernest Ogesi Kivai Kagesi, MP  
Vihiga Constituency  
**ANC Party**

Hon. Catherine Wambiliaga, MP  
Bungoma County  
**FORD-K**

Hon. Amina Dika Abdullahi, MP  
Tana River County  
**KANU**

Hon. Patrick Simiyu Barasa, MP  
Cherangany Constituency  
**DAP-K Party**

Hon. Peter Irungu Kihungi, MP  
Kangema Constituency  
**UDA Party**

## **I.5 Committee Secretariat**

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6. The Committee Secretariat comprises the following technical staff:

Ms. Hellen Ekadeli  
**Senior Clerk Assistant / Head of Secretariat**

Ms. Colletah Sigilai  
**Senior Legal Counsel**

Ms. Jael Kilaka  
**Clerk Assistant III**

Mr. Joseph Ndirangu  
**Fiscal Analyst I**

Ms. Wambui Nyachae  
**Research Officer III**

Mr. Ambrose Nguti  
**Media Research Officer**

Mr. Timothy Chiko  
**Research Officer III**

Ms. Yasmin Hassan  
**Assistant Serjeant-At-Arms II**

Mr. Cosmas Okello  
**Audio Officer III**

## CHAPTER TWO

### 2.0 BACKGROUND

#### 2.1 Legal Framework

7. While conducting the approval hearing, the Committee was guided by statutes and articles of the constitution of Kenya, including-
- i) Article 10 of the Constitution on the national values and principles of governance;
  - ii) Chapter 6 of the Constitution on leadership and integrity;
  - iii) Article 77 of the Constitution on restriction on activities of State Officers;
  - iv) Article 78 of the Constitution on dual citizenship;
  - v) Article 118 of the Constitution on public participation;
  - vi) Article 124(4) of the Constitution on consideration of persons for appointment to public office;
  - vii) Article 232 of the Constitution on values and principles of public service;
  - viii) Article 233 of the Constitution on the Public Service Commission;
  - ix) Article 250(2) of the Constitution on the appointment process of the Chairperson and Members of a constitutional commission;
  - x) The Public Appointments (Parliamentary Approval) Act, Cap. 7F;
  - xi) The Ethics and Anti-Corruption Commission Act, Cap. 7H;
  - xii) The Leadership and Integrity Act, Cap. 185C;
  - xiii) The Public Service Commission Act, Cap 185

#### 2.2 Notification of Nominations

8. Pursuant Section 11(6) of the PSC Act, Cap. 185 as read together with sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, Cap.7F, H.E. the President, through the Head of Public Service, transmitted to the Rt. Hon. Speaker of the National Assembly the Presidential Nomination Certificate No. 1 of 2026, the Report of the Selection Panel and the nominee's *curriculum vitae* vide letter referenced EOP/CAB.26/4A VOL.VIII(124) dated 2<sup>nd</sup> February 2026 (Annexure 1).

#### 2.3 Notification to the House and Referral to the Committee

9. Standing Order 42(2) of the National Assembly Standing Orders provides that:  
*"If a message is received from the President, at a time when the House is not in session, the Speaker shall forthwith cause the message to be transmitted to every Member and shall report the message to the House on the day the House next sits."*
10. The Rt. Hon. Speaker of the National Assembly vide Message No. 1 of 2026 date 10<sup>th</sup> February 2026 (Annexure 2) conveyed to the House the Message from H.E the President nominating Mr. Francis Meja for appointment as Chairperson of the PSC.
11. In addition, pursuant to the provisions of Standing Order 45, the Speaker referred the name and the *curriculum vitae* of the nominee to the Committee for approval hearing and reporting to the House within twenty-eight (28) days.

#### 2.4 Notification to the Public

12. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees.
13. Section 6(4) of the Public Appointments (Parliamentary Approval) Act, Cap.7F provides that the Clerk shall notify the public of the time and place for holding approval hearings at least seven days prior to the hearings. Additionally, Section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap.7F provides that any person may, prior to the approval hearings and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.
14. In compliance with the above provisions, the Clerk of the National Assembly on 12<sup>th</sup> February 2026 placed an advertisement in the print media, notifying the public of the time and place of holding the approval hearing and inviting the public to submit memoranda by way of written statements on oath (affidavit) on the suitability of the nominee.
15. The Memoranda were to be received by Thursday, 19<sup>th</sup> February 2026, by 5.00 pm. By the close of the deadline, the Committee had received three (3) memoranda contesting the suitability of the nominee.

## **2.5 Notification to the Nominee**

16. The Clerk of the National Assembly vide a letter dated 12<sup>th</sup> February 2026 referenced *NA/DDC/LAB/2026/006 (Annexure 7)* invited the nominee for the approval hearing in accordance with section 6(3) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F.

## **2.6 Clearance and Compliance Requirements**

17. Section 6(7) of the Public Appointments (Parliamentary Approval) Act, Cap.7F provides that an Approval Hearing shall focus on a candidate's academic credentials, professional training and experience, personal integrity and background.
18. Vide letters dated 12<sup>th</sup> February 2026 and referenced *NA/DDC/LAB/2026 (001), (002), (003), (004), (005) and (007)* the Clerk of the National Assembly wrote to the DCI, EACC, HELB, KRA, ODPP and ORPP (*Annexure 8*) requesting for reports with respect to the nominee on the following matters:
  - (a) criminal records;
  - (b) ethics and integrity;
  - (c) higher education loan repayment(s);
  - (d) active criminal court proceedings;
  - (e) political party affiliations; and
  - (f) tax compliance
19. The Committee confirmed that the nominee had been duly cleared as required by EACC ODPP, ORPP, DCI, KRA and HELB. (*Annexure 9*)
20. In addition, the nominee availed the following documents:
  - a) Self-Declaration with the Ethics and Anti-corruption Commission as provided for in the First Schedule of the Leadership and Integrity Act;
  - b) Letter of recognition of qualification of Bachelor of Arts in Economics, Public Administration and Political Science awarded by Marathwada University in India;

- c) CRB certificate on his Credit report indicating no adverse listing;
- d) Letter of membership status from the Office of the Registrar of Political Parties indicating that the nominee is not an official or a member of any registered political party in Kenya;
- e) Police clearance certificate; and
- f) Certificate of clearance from the Higher Education Loans Board

## 2.7 Criteria for Consideration during the Approval Hearings

21. In conducting the approval hearings, the Committee was guided by Section 6(7) and (8) of the Public Appointments (Parliamentary Approval) Act, Cap.7F, which provides that:

*“(7) An approval hearing shall focus on a candidate’s academic credentials, professional training and experience, personal integrity and background.*

*“(8) The criteria specified in the Schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.”*

22. Additionally, Section 7 of the Act provides that the issues for consideration by the relevant House of Parliament in relation to any nomination shall be:

- (a) *“the procedure used to arrive at the nominee;*
- (b) *any constitutional or statutory requirements relating to the office in question; and*
- (c) *the suitability of the nominee for the appointment proposed having regard to whether the nominee’s abilities, experience, and qualities meet the needs of the body to which nomination is being made.”*

### 2.7.1 Procedure for Nomination

24. Article 250 of the Constitution provides that:

*“Composition, appointment and terms of Office.*

- (1) *Each commission shall consist of at least three, but not more than nine, members.*
- (2) *The chairperson and each member of a commission, and the holder of an independent office, shall be—*
  - ~~(a) identified and recommended for appointment in a manner prescribed by national legislation;~~
  - ~~(b) approved by the National Assembly; and~~
  - ~~(c) appointed by the President.~~
- (3) *To be appointed, a person shall have the specific qualifications required by this Constitution or national legislation.*
- (4) *Appointments to commissions and independent offices shall take into account the national values referred to in Article 10, and the principle that the composition of the commissions and offices, taken as a whole, shall reflect the regional and ethnic diversity of the people of Kenya.*
- (5) *The chairperson and each member of a commission, and the holder of an independent office, shall be—*
  - (a) identified and recommended for appointment in a manner prescribed by **national legislation**;*
  - (b) approved by the National Assembly; and*
  - (c) appointed by the President.”*

25. Section 11(1) and Paragraph 1(1) of the First Schedule of the PSC Act, Cap. 185 provides that:

*“(1) Where a vacancy occurs in the office of the chairperson, vice-chairperson or member, the appointment procedure provided for in the Constitution and the First Schedule shall apply.*

*(2) Whenever a vacancy arises, the President shall, within fourteen days by notice in the Government Gazette, declare vacancies in the Commission and constitute a selection panel comprising of the following—*

- (i) a representative from the Office of the President;*
- (ii) a representative from the office of the Attorney-General;*
- (iii) a representative from the Ministry responsible for the Public Service;*
- (iv) a representative from the Institute of Certified Public Accountants of Kenya;*
- (v) a representative from the Institute of Human Resource Management who should be knowledgeable in human resource practices;*
- (vi) a representative from the Federation of Kenya Employers who should be knowledgeable in labour relations; and*
- (vii) a representative from the National Council for Persons with Disabilities.*

26. In exercise of his powers in Article 250(2)(c) of the Constitution and in accordance with section 11(1) and Paragraph 1(1) of the First Schedule of the PSC Act, Cap. 185, H.E. the President convened a selection panel for the recruitment of a suitable candidate for appointment for appointment as Chairperson of the PSC.

27. In accordance with the aforementioned provisions, the Selection Panel advertised, shortlisted and interviewed the applicants and selected three (3) persons qualified for appointment as Chairperson of the PSC and subsequently, forwarded the names of the selected candidates to H.E. the President for nomination.

28. Accordingly, H.E. the President, through the Head of Public Service, forwarded to the National Assembly the name of Mr. Francis Meja for approval for appointment as Chairperson of the PSC in accordance with Article 250(2)(b) of the Constitution and section 3 of the Public Appointments (Parliamentary Approval) Act, Cap. 7F.

### **2.7.2 Constitutional and Statutory Requirements**

29. The Committee was guided by the following provisions of law on the requirements for appointment to the State office:

#### **(a) National Values and Principles of Governance**

30. Article 10 of the Constitution provides for the national values and principles of governance which State officers should abide by in discharging their mandate. They include: patriotism; national unity; sharing and devolution of power; the rule of law; democracy and participation of the people; human dignity; equity; social justice; inclusiveness; equality; human rights; non-discrimination and protection of the marginalized; good governance; integrity; transparency and accountability; and sustainable development.

#### **(b) Conduct of State Officers**

31. Article 75 of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties. The Article further prohibits a State officer who has been dismissed or otherwise removed from office for contravention of provisions of Chapter Six of the Constitution from holding any other State office.
32. Article 77 of the Constitution outlines that a full-time State officer must not participate in any other gainful employment and that any appointed State officer must not hold office in a political party.
33. Moreover, the Constitution under Article 78 further stipulates that a State officer must not hold dual citizenship but instead shall be a citizen of Kenya only.
34. Article 232 provides for the values and principles of public service as high standards of professional ethics; efficient, effective and economic use of resources; responsive, prompt, effective, impartial and equitable provision of services; involvement of the people in the process of policy-making; accountability for administrative acts; transparency and provision to the public of timely, accurate information; fair competition and merit as the basis of appointments and promotions; representation of Kenya's diverse communities; and affording adequate and equal opportunities for appointment, training and advancement, at all levels of the public service of men and women, members of all ethnic groups and persons with disabilities.

**(c) Qualifications for Appointment as Chairperson of the PSC**

35. Article 250(2)(a) of the Constitution contemplates that the PSC Act, Cap. 185 shall prescribe the manner in which the Chairperson of the PSC shall be appointed.
36. Section 8 (1) of the PSC Act, Cap. 71 provides for the qualifications of the Chairperson of the PSC as follows:
 

*“Subject to Article 233(3) of the Constitution, a person shall be qualified for appointment as the chairperson or vice-chairperson of the Commission if that person—*

  - (a) is a citizen of Kenya;*
  - (b) holds a degree from a university recognized in Kenya;*
  - (c) has at least ten years’ experience in their respective profession;*
  - (d) has at least six years’ experience in a managerial position either in the public or private sector; and*
  - (e) meets the requirements of leadership and integrity in Chapter Six of the Constitution.*

**(d) Leadership and Integrity**

37. The Committee, in determining the suitability of the nominee, was also guided by the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, Article 73(2) of the Constitution provides that the guiding principles of leadership and integrity include:
  - (a) selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;
  - (b) objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;
  - (c) selfless service based solely on the public interest, demonstrated by

- (i) honesty in the execution of public duties; and
- (ii) the declaration of any personal interest that may conflict with public duties.
- (d) accountability to the public for decisions and actions; and
- (e) discipline and commitment in service to the people.

38. In addition, the Committee considered section 10 of the Leadership and Integrity Act, Cap. 185C in particular which provides that:

*“A State officer shall, to the best of their ability—*

- (a) carry out the duties of the office efficiently and honestly;*
- (b) carry out the duties in a transparent and accountable manner;*
- (c) keep accurate records and documents relating to the functions of the office; and*
- (d) report truthfully on all matters of the organization which they represent.”*

### **2.7.3 Suitability of the nominee for the proposed appointment having regard to whether the nominee’s abilities, experience and qualities meet the needs of the office to which nomination is being made**

39. The suitability of the nominee was assessed after scrutiny of his academic credentials, professional training and experience, personal integrity, background and qualities as well as his performance during the approval hearing conducted on 20<sup>th</sup> February 2026.

## CHAPTER THREE

### 3.0 Memoranda from the Public

40. Article 118 of the Constitution provides that Parliament shall facilitate public participation and involvement in the legislative business and other business of Parliament and its Committees.
41. Section 6(9) of the Public Appointments (Parliamentary Approval) Act, Cap. 7F provides that “any person may, prior to the approval hearing and by **written statement on oath**, provide the Clerk **with evidence contesting the suitability of a candidate** to hold office to which the candidate has been nominated”.
42. Pursuant to Article 118 of the Constitution as read with section 6(9) of Public Appointments (Parliamentary Approval) Act, Cap. 7F, the Clerk of the National Assembly placed an advertisement in the print media on Thursday, 12<sup>th</sup> February 2026 inviting the public to submit memoranda by way of written statement on oath (affidavit) on the suitability or otherwise of the nominees in conformity with section 6(9) of the Public Appointments (Parliamentary Approval) Act.
43. The advertisement indicated that the submissions were to be received on or before Thursday 19<sup>th</sup> February 2026 at 5.00 pm. At the close of the submission deadline, the Committee had received three (3) memoranda contesting the nomination of the nominee by Mr. Eliud Karanja Matindi and Dr. Magare Gikenyi Benjamin; Youth Education and Internship Society and Mr. Daudi O. Ochami contesting the nomination for the appointment. (*Annexure 11*)

### 3.1 Memorandum by Mr. Daudi O. Ochami (Advocate of the High Court of Kenya)

44. The deponent objects the nomination of Mr. Francis Meja as Chairperson of the PSC on grounds that it violates Article 233(3) of the Constitution highlighting that the nominee is a state officer as he is currently serving as a commissioner of PSC and he participated in the activities and campaigned for a political party in Kajiado Gubernatorial in 2022.
45. Additionally, the selection and nomination of Mr. Francis Meja amounts to conflict of interest and public concern since the selection process ought to inspire public confidence per Article 232 of the Constitution of Kenya. Regrettably, the manner, by which he appears to, seek to, seamlessly transition from the membership of the Commission to head it does not inspire transparency.
46. Besides, the fact that a member still in the top employ of the Commission could apply for the position of chairperson of the commission raises credible questions of conflict of interest, fairness and transparency of the recruitment process.
47. On the face of it, Mr. Francis Meja's participation in interviews leading to the said selection while still in employment at the PSC violates the express provision of Section 10(1) (2) of the Conflict-of-Interest Act 2025.
48. Further, Mr. Francis Meja's participation in the said interviews reeks of conflict of interest as defined by Section 8(b) of the Conflict-of-Interest Act 2025. Further by submitting to the

interviews Mr. Francis Meja and being a public officer violated Section 9 (a) of the Conflict-of-Interest Act 2025. The Leadership and Integrity Act as read with the Conflict-of-Interest Act makes it clear that a State Officer must avoid situations where there is a possible appearance of conflict of interest.

49. Lastly the petitioner asserted that according to the Constitution and the PSC Act, members of the PSC serve a single, non-renewable six-year term. Mr. Francis Meja has served a year already. If successful in his current pursuit he will secure a six-year term on top of the one year already served in violation of the applicable law.

### **3.2 Memorandum by Youth Education and Internship Society**

50. The deponent stated that the appointment of Mr. Francis Meja as chairperson of the PSC contravenes Article 233(3)(d) of the Constitution which provides that a person shall not be eligible for appointment as a member or chairperson of the PSC if that person is a State officer or has served as one within the preceding five (5) years.
51. It contested that Article 260 of the Constitution defines a state officer to include members of constitutional commissions, including the PSC and that Mr. Francis Meja is a serving member of the PSC, and therefore a state officer within the meaning of Article 260 hence not eligible for appointment.

### **3.3 Memorandum by Mr. Eliud Karanja Matindi and Dr. Magare Gikenyi Benjamin**

52. The petitioner challenged the nomination of the Mr. Francis Meja as Chairperson of PSC and averred that his appointment violates Article 250(6) (a) and section 7(4) PSC Act which limits the term of office of a member of PSC to single term of 6 years.



## CHAPTER FOUR

### 4.0 APPROVAL HEARING OF THE NOMINEE

53. The Committee held a sitting on Friday, 20<sup>th</sup> February 2026 to deliberate on the approval hearing and noted the following—

- 1) The nominee had not notified the Clerk of the National Assembly of their withdrawal from the approval process as outlined in section 6(10) of the Public Appointments (Parliamentary Approval) Act, Cap 7F.
- 2) The Committee examined the nominee against the criteria set out in section 6(7), 6(8) and 7 of the Public Appointments (Parliamentary Approval) Act, Cap 7F.

#### 4.1 Mr. Francis Meja – Nominee to the Office of Chairperson of PSC

54. The nominee appeared before the Committee on Friday, 20<sup>th</sup> February 2026 and was vetted under oath to examine his suitability. The Committee noted the following:

#### 4.2 Questions from the Questionnaire

##### **Citizenship, Date and Place of Birth**

55. The nominee is a Kenyan Citizen of ID Number 9208760 and was born in Kajiado County in 1968.

##### **Academic and Professional Qualifications**

56. The nominee holds a Master's in Business Administration (Strategic Management) from the University of Nairobi and a Bachelor of Arts Degree (Economics, Public Administration and Political Science) from Maratwada University in India.

57. He also indicated that he has undertaken the following trainings;

- (a) Huawei Digital Leadership Training
- (b) Road Sector Reforms and Financing
- (c) Road Services Procurement and Integrity
- (d) Road Maintenance Management
- (e) Road Safety
- (f) PSC corporate Governance Training for Commissioners and Senior Management Staff
- (g) Finance for non- Finance Directors Training
- ~~(h) National Transport and Safety Authority Board Development Programme~~
- ~~(i) Effective Customer Care~~
- (j) Marketing Financial Service, Customer Service for Banks and Non-Financial Institutions
- (k) Credit Management and Debt Recovery Skills
- (l) Business and Report Writing

##### **Employment Record and Work Experience**

58. The nominee has worked in the following capacities:

- (a) January 2025 - to date: member, PSC
- (b) February 2014 – December 2019: Director General at the National Transport and Safety Authority
- (c) September 2010 – January 2014: Registrar of Motor Vehicles, Ministry of Transport and Infrastructure
- (d) July 2006 – September 2010: Manager, Business Growth and Development (Narok) Equity Bank Ltd

- (e) 2002 – June 2006: Branch Manager Housing Finance
- (f) 1998 – 2002: Assistant Branch Manager, Housing Finance Company of Kenya Ltd (HFCK)
- (g) 1994-1998: Banking Officer, Housing Finance Company of Kenya Ltd

### **Honours and Awards**

59. The nominee has received Order of the Moran of the Burning Spear (MBS).

### **Published Writings**

60. The nominee has published a number of articles in newspapers of national circulation. These include "NTSA Digital Systems Bearing Fruits" (29/09/1016), "Cleaner Transport System Will Reduce Deaths" (25/05), "Traffic Offences – A Case for Instant Fines" (27/08/15) and "NTSA Safety Measures Reducing Road Death" (21/09/2014).

### **Public Office, Political Activities and Affiliations**

61. The nominee indicated that he is currently a member of PSC.

### **Integrity**

62. The nominee submitted that he has neither been charged in a court of law nor adversely mentioned in any investigatory report produced by Parliament or a Commission of Inquiry within the past three years. In addition, the nominee stated that he has never been dismissed or removed from office for violating the provisions outlined in Article 75 of the Constitution.

### **Income and Net worth**

63. The nominee estimated his net worth to Kshs.320.7 million comprising of immovable property, motor vehicles and cash in bank. He indicated his current sources of income to include salary from employment and farm income.

### **Potential Conflict of Interest**

64. The nominee declared that he is currently not associated with any persons or matters that would present a potential conflict of interest should he assume the position of chairperson of PSC. If a conflict of interest were to arise, he stated that he would resolve it according to Article 75 of the Constitution.

### **Pro-bono/Charity Work/Donation to Charity**

65. The nominee has volunteered in capacity building activities for the Board of Management at Kimuka Girls High School on a need basis.

## **4.3 General and Sector-Specific Questions to the Nominee**

66. In order to assess the nominee's overall suitability for the position, the Committee posed questions to the nominee and he responded as recorded hereunder:

### **On memoranda from members of the public contesting his nomination;**

67. The nominee submitted that indeed he is a state officer in accordance to Article 260 of the Constitution, however, Art. 233(3)(b) on eligibility relates to appointment and not nomination. In compliance with Article 250(6) he indicated that he is aware that he will be required to vacate office by tendering resignation before assuming office. He averred that he is fully versed in the legal provisions governing his nomination and that having not been formally appointed to the Commission, his nomination was fully compliant with the law.

68. He relied on the court decision in ***Omondi & another v Attorney General & 2 others; Ethekeon & 7 others (Interested Parties) (Constitutional Petition E269 of 2025) [2025] KEHC 9956 (KLR) (Constitutional and Human Rights) (10 July 2025)*** where the court stated that “...there is no blanket constitutional bar for a serving State officer to apply for consideration for appointment to the IEBC, so long as they resign from their current office before they take oath of office of Commissioner.” (Annexure 13)

69. The nominee drew the attention of the Committee to a Ruling of the Speaker of the National Assembly made on 4<sup>th</sup> December 2014 where the Speaker guided that the seat for a Member of Parliament does not fall vacant on account of nomination for appointment as a Cabinet Secretary. According to the Speaker, a state officer is only required to vacate office by tendering resignation just before assuming the office the officer is nominated to. (Annexure 14)

70. **On his tenure and term limit as a commissioner**, the nominee submitted that should the matter arise, he shall abide by the law.

**On enhancing the working conditions for public servants;**

71. The nominee stated that low morale among public servants in performing their duties has been a persistent challenge particularly on promotions and career advancement. He stated that if appointed he will strive to improve the working conditions of public servants.

**On ghost workers;**

72. The nominee highlighted the need to deploy integrated digital systems to enable real-time tracking of payroll and personnel data across government institutions. He stated that automation would significantly reduce opportunities for manipulation and illegal benefits.

**On his employment gap between 2020 to 2025 prior to appointment at PSC;**

73. The nominee clarified that he was appointed for a three-year term on the Council of Murang'a University of Technology, from November 2023 which he relinquished in 2025 upon being appointed as a member of the PSC. Prior to that, he had taken time to pursue personal interests, including seeking an elective office as Governor for Kajiado County.

**On withdrawal of NTSA from road operations;**

74. The nominee stated that the institutional reforms encountered challenges including human resource constraints, noting that NTSA had approximately 300 officers compared to about 4,000 officers within the Traffic Department warranting the transfer of the function.

75. He further stated that before the transfer of the function he had secured funding from the World Bank for the acquisition of body-worn cameras to enhance transparency, safety, and accountability in enforcement of operations to curb harassment of members of the public.

**On fair and equitable representation in recruitment processes in the public service;**

76. The nominee stated that the commission has been committed to promoting fair and equitable representation in all its recruitment exercises. He assured the Committee that if approved for appointment as Chairperson he will uphold fair, transparent and merit-based recruitment processes within the Commission.

**On engagement with Parliament;**

77. The nominee acknowledged that the Commission faces significant budgetary constraints and committed to engage constructively with Parliament, particularly working closely with the relevant Committee, to secure adequate funding and strengthen institutional collaboration.

**On measures to bridge employment gaps in marginalized communities;**

78. The nominee stated that the PSC has developed and adopted a policy framework to fast-track historically marginalized communities. He indicated that a defined proportion of recruitment opportunities would be reserved for such communities, with competition maintained within the designated category to uphold merit.

**On whether recruitments will be based on merit or ethnicity;**

79. The nominee submitted that recruitments by the commission shall primarily be based on qualifications and minimum statutory requirements. Thereafter, considerations of regional and ethnic balance shall be applied to ensure compliance with constitutional diversity principles.

**On redundant courses that no longer align with current employment demands;**

80. The nominee acknowledged the growing mismatch between graduates and available employment opportunities. He stated that the PSC is undertaking a skills-gap assessment within the public service and engaging public universities to align academic programs with the employment market demands.

**On institutional dependence;**

81. The nominee affirmed that the PSC's forthcoming Strategic Plan underscores institutional independence and constitutional fidelity, and he pledged to discharge his mandate free from external influence. Further, he asserted that the commission has consistently operated with integrity and accountability, with any grievances handled strictly within the bounds of the law.

**On verification of academic credentials;**

82. The nominee indicated that the commission is piloting a digital verification system to enable instant online authentication of academic certificates, thereby preventing the submission of fraudulent credentials when making job applications online.

**On the value he will add if appointed as a chairperson;**

83. The nominee asserted that having served as commissioner, the position of chairperson would enable him to be more effectively drive strategic direction and institutional reforms. He maintained that his deep institutional knowledge, professional insight would enable him to strengthen the capacity and effectiveness to the commission.

**On the alleged unfair treatment of public officers applying for study leave;**

84. The nominee stated that leave for further studies is granted upon proper procedural application, particularly where the course enhances public service capacity. However, he noted concerns where some public officers misuse the remuneration during study leave without undertaking or completing the approved course, while others demand for salary which is not aligned with the remuneration policies.

**On restoring public confidence in the Commission;**

85. The nominee submitted that the PSC is prioritizing automation and digitalization to minimize human discretion in recruitment processes, thereby enhancing objectivity and restoring public confidence. The nominee committed to restoring public confidence in the commission if approved for appointment.

**On access to online job advertisements and automated application systems in remote areas;**

86. The nominee stated that the Commission had set in place frameworks where the national government administrative structures at the grassroots level are utilized to disseminate information to remote communities to ensure inclusivity.

## CHAPTER FIVE

### 5.0 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE

87. The Committee, having considered the nominee's filled questionnaire pursuant to Section 6(8) of the Public Appointments (Parliamentary Approval) Act, CAP.7F, the *curriculum vitae* (Annexure 10) and having heard his oral submissions during the approval hearing, observed as follows:

- i. The nominee is a Kenyan citizen and does not hold any other citizenship and therefore meets the requirement of Article 78(1) of the Constitution and section 8(1)(a) of the PSC Act, Cap. 185.
- ii. The nominee possesses a Bachelor of Arts Degree in Economics, Public Administration and Political Science from the Maratwada University in India and was issued with a letter of recognition by CUE referenced *CHE/10/9/11Vol.644* dated 9<sup>th</sup> June 2023. He therefore meets the requirements of section 8(1)(b) of the PSC Act, Cap 185.
- iii. The nominee has over ten years' proven experience at management level having served in different managerial capacities at NTSA, Equity Bank Ltd and Housing Finance including as a Director General and Branch Manager from 2002 to 2019. The nominee, therefore, meets the requirements of section 8(1)(d) of the PSC Act, Cap 185.
- iv. The nominee, having been cleared by EACC, DCI, ODPP and ORPP and provided a clearance certificate from HELB and a tax compliance certificate from KRA meets the statutory requirements for appointment as Chairperson of PSC.
- v. The nominee demonstrated impressive knowledge and deep understanding of the mandate of Chairperson of the PSC. He identified various challenges, displayed good problem-solving and innovative ways to improving the operations of the Commission.
- vi. The Committee noted that the nominee is yet to be appointed as chairperson of PSC. His appointment is subject to approval by the National Assembly and resignation before assuming office in accordance with Article 250(5) of the Constitution, Section 11 and the First Schedule of the PSC Act.
- vii. The recruitment process and subsequent recommendation for appointment as detailed in report of the Selection Panel of the nominee is in compliance with the Constitution, the PSC Act, Cap. 185 and the Public Appointments (Parliamentary Approval) Act (Cap.7F).
- viii. The Committee noted that Article 250 (6) provides that members of a commission and holders of independent offices are appointed for a single, non-renewable six-year term with no eligibility for re-appointment. However, there has been a practice of members serving across multiple commissions hence the need to clarify whether the intention of the Constitution is to limit the six year-term to a specific commission or to all commissions to ensure that a member serves only in one commission for a maximum of six years and is not eligible for re-appointment in any other Commission or beyond six years. The Committee recommends a constitutional amendment of Article 250 (6) to provide clarity on the six-year single term non-renewable in any commission or independent office.

**CHAPTER SIX**

**6.0 COMMITTEE RECOMMENDATION**

88. Having conducted the approval hearings pursuant to Article 233(2) of the Constitution; Sections 3 and 8 of the Public Appointments (Parliamentary Approval) Act, Cap 7F; Section 11 of PSC Act, Cap. 185 and Standing Order 216 (5) (f), the Committee recommends that the House **approves** the appointment of Mr. Francis Meja as Chairperson of the Public Service Commission.



**SIGNED:** ..... **DATE:** 24/2/2020 .....

**HON. KITI RICHARD KEN CHONGA, MP  
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON LABOUR**